

Applicant : Ronald P. Knockeart et al.
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REMARKS

Dependent claims rewritten in independent form

Claims 24 and 25 have been cancelled, claims 27 and 54 have been re-written in independent form, and dependencies in other claims have been amended accordingly. There have not been amendments to claims 27 and 54 that would necessitate a new search.

Below, the applicant's comments are preceded by related remarks of the examiner set forth in small bold type.

2. Claims 24, 25, 27 and 30-65 are rejected under 35 U.S.C. 102(b) as being anticipated by Mandhyan et al.

3. Claims 25, 27, 46-53 and 56 are rejected under 35 U.S.C. 102(e) as being anticipated by Fleck et al (WO 96/29688 or 6,012,012).

Claims 39-44 and 54

Mandhyan does not disclose or suggest "wherein the server sends to the vehicle the command to enable transmission of the traffic-related data if the server has provided planned routes along the road network to the vehicle," as recited in claim 54.

Mandhyan discloses automatically activating selected probe vehicles in order to have sufficient number of active probes (col. 7, lines 30-33). Mandhyan does not disclose or suggest a sever that sends a command to a vehicle to enable transmission of traffic-related data if the server has provided planned routes along the road network to the vehicle. Similarly, Mandhyan does not disclose or suggest receiving such a command at a vehicle, i.e., a command that is sent from a server that has provided planned routes along the road network to the vehicle.

What is lacking in Mandhyan is also not disclosed or suggested in Fleck, which discloses transmission of traffic flow information from a terminal to a service center (col. 4, lines 30-31).

Claims 39-44 are patentable for at least the same reasons as claim 54.

Claims 27, 45-53 and 55

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Mandhyan does not disclose or suggest "receiving a request to transmit the logged data to the server," as recited in claim 27. Mandhyan discloses that "the probe computer ... is programmed and connected to transmit its speed data automatically over the cellular phone 22 whenever the measured bandwidth differs from the mean bandwidth obtained from the calibration phase by a programmed amount." (col. 6, line 66 to col. 7, line 6). In Mandhyan, the probe computer does not receive a request to transmit the logged data to the server.

What is lacking in Mandhyan is also not disclosed or suggested in Fleck, which discloses "if the given travel time is greatly exceeded, the segment of roadway defined by acquisition areas S1, S2 and the actual travel time ... optionally with additional vehicle information ... are transmitted by the mobile wireless system to central acquisition point 20." (col. 4, line 62 to col. 5, line 1) In Fleck, the vehicle does not receive a request to transmit logged data to the server.

Claims 45-53 and 55 are patentable for at least the same reasons as claim 27. Moreover, these claims add additional distinctive features. For example, claim 48 recites "the logged data is transmitted to a server periodically after receiving the command from the server," and claim 55 recites "the server sends to the vehicle a command to enable logging of the traffic-related data if the server has provided planned routes along the road network to the vehicle."

Please apply \$120 for the Petition for Extension of Time fee, and any other charges or credits to deposit account 06-1050, referencing attorney docket 09650-005009.

Respectfully submitted,

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* See attached document certifying that Rex Huang has limited recognition to practice before the U.S. Patent and Trademark Office under 37 CFR § 11.9(b).
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